

## Department of Health and Human Services

## § 96.121

be deducted from the State's allotment. The Department's total administration costs for making grants during fiscal year 1982 and for any monitoring of these grants in fiscal year 1983 will be deducted from each State's allotment in proportion to the total amount of grants awarded from the allotment during the period of administration by the Department (but not to exceed 5 percent of the State's fiscal year 1982 allotment).

[47 FR 29486, July 6, 1982, as amended at 48 FR 9271, Mar. 4, 1983]

### Subpart L—Substance Abuse Prevention and Treatment Block Grant

AUTHORITY: 42 U.S.C. 300x-21 to 300x-35 and 300x-51 to 300x-64.

SOURCE: 58 FR 17070, Mar. 31, 1993, unless otherwise noted.

#### § 96.120 Scope.

This subpart applies to the Substance Abuse Prevention and Treatment Block Grant administered by the Substance Abuse and Mental Health Services Administration. 45 CFR part 96, subparts A through F, are applicable to this subpart to the extent that those subparts are consistent with subpart L. To the extent subparts A through F are inconsistent with subpart L, the provisions of subpart L are applicable.

#### § 96.121 Definitions.

*Block Grant* means the Substance Abuse Prevention and Treatment Block Grant, 42 U.S.C. 300x-21, *et seq.*

*Early Intervention Services Relating to HIV* means:

(1) appropriate pretest counseling for HIV and AIDS;

(2) testing individuals with respect to such disease, including tests to confirm the presence of the disease, tests to diagnose the extent of the deficiency in the immune system, and tests to provide information on appropriate therapeutic measures for preventing and treating the deterioration of the immune system and for preventing and treating conditions arising from the disease;

(3) appropriate post-test counseling; and

(4) providing the therapeutic measures described in Paragraph (2) of this definition.

*Fiscal Year*, unless provided otherwise, means the Federal fiscal year.

*Interim Services or Interim Substance Abuse Services* means services that are provided until an individual is admitted to a substance abuse treatment program. The purposes of the services are to reduce the adverse health effects of such abuse, promote the health of the individual, and reduce the risk of transmission of disease. At a minimum, interim services include counseling and education about HIV and tuberculosis (TB), about the risks of needle-sharing, the risks of transmission to sexual partners and infants, and about steps that can be taken to ensure that HIV and TB transmission does not occur, as well as referral for HIV or TB treatment services if necessary. For pregnant women, interim services also include counseling on the effects of alcohol and drug use on the fetus, as well as referral for prenatal care.

*Primary Prevention Programs* are those directed at individuals who have not been determined to require treatment for substance abuse. Such programs are aimed at educating and counseling individuals on such abuse and providing for activities to reduce the risk of such abuse.

*Principal Agency* is the single State agency responsible for planning, carrying out and evaluating activities to prevent and treat substance abuse and related activities.

*Rural Area* The definition of a rural area within a State shall be the latest definition of the Bureau of the Census, Department of Commerce.

*Secretary* is the Secretary of the United States Department of Health and Human Services or the Secretary's designee.

*State*, unless provided otherwise, includes the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, Palau, Micronesia, and the Marshall Islands.

*State Medical Director for Substance Abuse Services* is a licensed physician with the knowledge, skill and ability to address the multiple physical and